

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

WILLIE J. HARRIS

PLAINTIFF

v.

No. 3:20CV79-NBB-JMV

MARSHAL TURNER, ET AL.

DEFENDANTS

JUDGMENT

In accordance with the memorandum opinion entered this day:

The following **claims** and *defendants* will be dismissed for failure to state a claim upon which relief could be granted:

- (1) **Denial of access to the courts.** As defendants *Charles Hall and Gia McLeod* were named as defendants only in relation this claim, they will also be dismissed with prejudice from this suit;
- (2) *(Former) Commissioner Pelicia Hall, Unit 29 Deputy Warden Lee Simon, Mississippi State Penitentiary Chief of Security Brenda Cox, and Interim Commissioner Tommy Taylor.* The plaintiff named them as defendants based solely on their roles as supervisors;
- (3) *MSP Grievance Director Richie Pennington.* Mr. Pennington's participation in the events at issue is limited to his role in the grievance process;
- (4) **The taking of the plaintiff's property.** He has an adequate remedy for that taking under state law;

The following **claims** will proceed:

- (1) **Unconstitutionally harsh general conditions of confinement** while housed in Unit 32 of the Mississippi State Penitentiary against Superintendent Marshal Turner, Warden Timothy Morris, Deputy Warden Verlana Flagg, CID Coordinator Ricky Scott, Unit Manager Taylor, and Warden R. Vergara;
- (2) **Denial of the right to free exercise of religion** against Superintendent Marshal Turner, Correctional Counselor Supervisor Hampton, Unit Manager Taylor, and Case Manager T. Skeen;
- (3) **Failure to Protect from Assault** against Warden Timothy Morris, Deputy Warden Verlana Flagg, and K-9 Captain Letha Williams;
- (4) **Failure to provide adequate medical care** against Superintendent Marshal Turner, Warden

Timothy Morris, K-9 Captain Letha Williams;

- (5) **Use of excessive force** against K-9 Captain Letha Williams;
- (6) **Mail tampering** against Correctional Counselor Supervisor Hampton, Unit Manager Taylor, Case Manager T. Skeen, and Mailroom Supervisor Barbara Scott.

SO ORDERED, this, the 29th day of June, 2020.

/s/ Neal Biggers

NEAL B. BIGGERS

SENIOR U. S. DISTRICT JUDGE